



BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2013-0254; FRL-9909-68]

Amendment of a Pesticide Experimental Use Permit; Notice of Receipt of Application; Comment Request

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces EPA's receipt of an application from Robert I. Rose, Ph.D., on behalf of James Mains, Ph.D., Mosquito Mate, Inc., requesting to amend 89668-EUP-1 experimental use permit (EUP) to allow the applicant to add release and monitoring sites in California for *Aedes albopictus* male mosquitoes with *Wolbachia pipientis* ZAP strain bacteria and to extend the permit for the currently approved sites. The Agency has determined that the amendment request for the permit may be of regional and national significance. Therefore, because of the potential significance, and pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA is hereby providing notice of receipt and is seeking comments on this application.

DATES: Comments must be received on or before *[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]*.

ADDRESSES: Submit your comments, identified by docket identification (ID) number and the EUP File Symbol of interest as shown in the body of this document, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

- *Mail:* OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at <http://www.epa.gov/dockets/contacts.html>.

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at <http://www.epa.gov/dockets>.

FOR FURTHER INFORMATION CONTACT: Robert McNally, Biopesticides and Pollution Prevention Division (BPPD), (7511P), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 305-7090; e-mail address: BPPDFRNotices@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

This action is directed to the public in general. Although this action may be of particular interest to those persons who conduct or sponsor research on pesticides, the Agency has not attempted to describe all the specific entities that may be affected by this action.

B. What Should I Consider as I Prepare My Comments for EPA?

1. *Submitting CBI.* Do not submit this information to EPA through [regulations.gov](http://www.regulations.gov) or email. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD-ROM that you mail to EPA, mark the outside of the disk or CD-ROM as CBI and then identify electronically within the disk or CD-ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that

includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When submitting comments, remember to:

i. Identify the document by docket ID number and other identifying information (subject heading, **Federal Register** date and page number).

ii. Follow directions. The Agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.

iii. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.

iv. Describe any assumptions and provide any technical information and/or data that you used.

v. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.

vi. Provide specific examples to illustrate your concerns and suggest alternatives.

vii. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.

viii. Make sure to submit your comments by the comment period deadline identified.

3. *Environmental justice.* EPA seeks to achieve environmental justice, the fair treatment and meaningful involvement of any group, including minority and/or low income populations, in the development, implementation, and enforcement of environmental laws, regulations, and policies. To help address potential environmental justice issues, the Agency seeks information on

any groups or segments of the population who, as a result of their location, cultural practices, or other factors, may have atypical or disproportionately high and adverse human health impacts or environmental effects from exposure to the pesticide(s) discussed in this document, compared to the general population.

II. What Action is the Agency Taking?

Under section 5 of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), 7 U.S.C. 136c, EPA can allow manufacturers to field test pesticides under development. Manufacturers are required to obtain an EUP before testing new pesticides or new uses of pesticides if they conduct experimental field tests on 10 acres or more of land or one acre or more of water. Following the review of the application and any comments and data received in response to this solicitation, EPA will decide whether to issue or deny the amended EUP request, and if issued, the conditions under which it is to be conducted. Any issuance of an amended EUP will be announced in the **Federal Register**.

Therefore, pursuant to 40 CFR 172.11(a), the Agency has determined that the following amended EUP application may be of regional and national significance, and therefore is seeking public comment on the following amended EUP application:

89668-EUP-1. (Docket ID Number: EPA-HQ-OPP-2013-0254). On July 26, 2013, EPA approved an application for an experimental use permit (EUP), 89668-EUP-1. A notice of the issuance of the EUP was published in the **Federal Register** on September 12, 2013 (78 FR 56227) (FRL-9397-7). This EUP was approved for the weekly release at specified sites and times for male *Aedes albopictus* mosquitoes with *Wolbachia pipientis* ZAP strain bacteria between July 29, 2013, and July 29, 2016. Releases were approved for certain areas of California, Florida, Kentucky, and New York in accordance with the EUP. The released *Aedes albopictus* male mosquitoes, infected with *Wolbachia pipientis* ZAP strain bacteria, are expected to mate with

their indigenous female counterparts, causing conditional sterility, resulting in non-viable eggs. Thus, the mosquito population is expected to be substantially reduced using this technique. Adult and egg collection data from treated areas will be compared to those in an untreated control site to examine for the effect of the released product in the indigenous population.

On November 5, 2013, the applicant requested an amendment to Mosquito Mate, Inc., 1122 Oak Hill Dr., Lexington, KY 40505-3322, application (89668-EUP-1), to add San Gabriel Valley Mosquito and Vector Control District, West Covina, CA. The applicant is requesting to add 5379 acres for monitoring, including the six - one acre additional CA sites where the mosquitoes will be released, to the existing EUP's monitoring areas of 2059 acres. If approved, the total treatment and monitoring areas will be 7438 acres.

In addition, the applicant requested a time-extension for this EUP on the currently approved sites in CA, FL, and KY until October 31, 2015; and in NY until September 30, 2016. The time-extensions are to allow for a full-season of test-trials, so that control efficacy can be determined for the full-season of expected mosquito occurrence. Additional information on the experimental use permit is available in the docket.

Authority: 7 U.S.C. 136c.

List of Subjects

Environmental protection, Experimental use permits.

Dated: April 21, 2014.

Lois Rossi,

Director, Registration Division, Office of Pesticide Programs.

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